

STEVE D. LARSON, OSB No. 863540

Email: slarson@stollberne.com

DAVID F. REES, OSB No. 945138

Email: drees@stollberne.com

MARK A. FRIEL, OSB No. 002592

Email: mfriel@stollberne.com

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.

209 S.W. Oak Street, Fifth Floor

Portland, Oregon 97204

Telephone: (503) 227-1600

Facsimile: (503) 227-6840

CHARLES A. RINGO, OSB No. 893461

E-Mail: Charlie@Ringolaw.com

CHARLIE RINGO & ASSOCIATES

974 NW Riverside Blvd

Bend, OR 97701

Telephone: (541) 330-6447

Facsimile: (541) 382-3328

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

DOUGLAS ASHBY, CAROL PORTO,
GRANT WENZLICK, LEO
NEWBERRY, and EVELYN
BROEFFLE,

Case No. CV 01-1446 BR

**PLAINTIFFS' SUPPLEMENTAL
PROPOSED JURY INSTRUCTION RE
NAMED PLAINTIFFS**

Plaintiffs,

v.

FARMERS INSURANCE COMPANY
OF OREGON and FARMERS GROUP,
INC.,

Defendants.

At the Court's suggestion, Plaintiffs request that the Court give the following jury instruction at the outset of the case prior to opening statements. Although defendants object to this instruction based on their position that the individual circumstances of the class

{SSBLS Main Documents\7119\001\00209219-1}

**Page 1 - PLAINTIFFS' SUPPLEMENTAL PROPOSED JURY INSTRUCTION RE
NAMED PLAINTIFFS**

representatives and class members are relevant, defendants do not object to the wording of this instruction.

Plaintiffs' Requested Jury Instruction No.

PLAINTIFFS' TESTIMONY

This case is a class action lawsuit brought by plaintiffs Carol Porto, Evelyn Broeffle and Leo Newberry who serve as representatives for a class of approximately 144,000 similar situated Farmers policyholders. Although the class representatives will be present in the courtroom, because there are no issues for you to decide regarding the individual circumstances of the class representatives or class members, and in order to make the best use of your time, the Court has determined that testimony from the class representatives will not be necessary for you to decide the issues in this case.

DATED this 4th day of June, 2009.

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.

By: /s/ Steve D. Larson
STEVE D. LARSON, OSB No. 86354
DAVID F. REES, OSB No. 94513
MARK A. FRIEL, OSB No. 00259
STOLL STOLL BERNE LOKTING &
SHLACHTER P.C.
209 SW Oak Street, 5th Floor
Portland, OR 97204
Telephone: (503) 227-1600
Facsimile: (503) 227-6840
Email: slarson@ssbls.com
Email: drees@ssbls.com
Email: mfriel@ssbls.com

-and-

{SSBLS Main Documents\7119\001\00209219-1}

**Page 2 - PLAINTIFFS' SUPPLEMENTAL PROPOSED JURY INSTRUCTION RE
NAMED PLAINTIFFS**

CHARLES A. RINGO, OSB No. 89346
CHARLIE RINGO & ASSOCIATES PC
974 NW Riverside Blvd.
Bend, Oregon 97701
Telephone: (541) 330-6447
Facsimile: (541) 382-3328
E-Mail: charlie@ringolaw.com

Attorneys for Plaintiffs

{SSBLS Main Documents\7119\001\00209219-1}

**Page 3 - PLAINTIFFS' SUPPLEMENTAL PROPOSED JURY INSTRUCTION RE
NAMED PLAINTIFFS**

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.
209 S.W. OAK STREET
PORTLAND, OREGON 97204
TEL. (503) 227-1600 FAX (503) 227-6840